

**Subject:** Re: The Letter from the Yakima Herald Editor  
**To:** CN=Marie Jennings/OU=R10/O=USEPA/C=US@EPA  
**Cc:** CN=Allyn Stern/OU=R10/O=USEPA/C=US@EPA CN=Edward Kowalski/OU=R10/O=USEPA/C=US@EPA CN=Eric Winiecki/OU=R10/O=USEPA/C=US@EPA CN=Jennifer MacDonald/OU=R10/O=USEPA/C=US@EPA CN=Michael Cox/OU=R10/O=USEPA/C=US@EPA CN=Sheila Fleming/OU=R10/O=USEPA/C=US@EPA CN=Thomas Eaton/OU=R10/O=USEPA/C=US@EPA  
**From:** CN=Dan Opalski/OU=R10/O=USEPA/C=US  
**Submit Time:** 11/26/2012 16:04:32

Marie (and all):

I would suggest that further discussion, if necessary, should happen in person, but unless there is more definitive information available (i.e. beyond the three letters), we should leave this matter to its current course and move on to more substantive issues.

Dan Opalski  
U.S. Environmental Protection Agency, Region 10

Marie Jennings---11/25/2012 12:09:45 PM---Hello Allyn, and Ed: I am aware that senior management has discussed the letter that the Editor of

From: Marie Jennings/R10/USEPA/US  
To: Edward Kowalski/R10/USEPA/US@EPA, Allyn Stern/R10/USEPA/US@EPA,  
Cc: Dan Opalski/R10/USEPA/US@EPA, Jennifer MacDonald/R10/USEPA/US@EPA, Sheila Fleming/R10/USEPA/US@EPA, Michael Cox/R10/USEPA/US@EPA, Eric Winiecki/R10/USEPA/US@EPA, Thomas Eaton/R10/USEPA/US@EPA  
Date: 11/25/2012 12:09 PM  
Subject: The Letter from the Yakima Herald Editor

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Hello Allyn, and Ed:

I am aware that senior management has discussed the letter that the Editor of the Yakima Herald sent to EPA requesting a correction to language on page 1 of the Yakima report. Before completing any final response to the letter, I hope that we can further consider the request and EPA's response.

The report language is not an error because it is not a quote but a paraphrase of the **entire letter** that Leah Beth sent to Elin. It is what we understood the reporter to request at the time.

Specifically, the Yakima Herald editor requests a formal correction to the following sentences contained on page 1 of the report. The sentences from our report are stated below:

*"In October 2008, the Yakima Herald-Republic ran a series of articles titled 'Hidden Wells, Dirty Water' that examined a long history of ground water contamination affecting public and private drinking water wells primarily in the Lower Yakima Valley. The reporter sent a letter requesting that EPA invoke Section 1431 of the Safe Drinking Water Act (SDWA) to address the problem."*

The sentences quoted above are a paraphrase of the language that is in the letter the agency received from Leah Beth Ward in 2008 and reflect our understanding at the time. Again, this language was never meant to be a direct quote of her letter; therefore it is not in error. Whether or not the language represents intent after the fact is a very different point. The language below is the actual language in its entirety from the reporter's 2008 letter:

*"I wanted to give you an opportunity to read our recent series, "Hidden wells, dirty water," about contaminated wells in the Lower Yakima Valley.*

*The stories expose serious and longstanding problems with the regulatory framework that is supposed to be protecting poor, rural residents who rely on groundwater for drinking water.*

*Would EPA consider invoking emergency authority under Section 1431 of the Safe Drinking Water Act to address this problem?*

I suggest that we share that the Agency interpreted the language in the letter as a request to explore the option of using section 1431 to address groundwater contamination in the Lower Yakima Valley. We understand the reporter's interest in clarifying intent and we are committed to accuracy and transparency around intent and so we plan to post all letters pertaining to this topic on our website.

Focusing on just the last sentence of the 2008 Yakima Herald letter, takes it out of context. Attached are the three letters of concern for your own analysis and review. The first letter is the 2008 letter from Leah Beth Ward, the 2nd letter is EPA's response and the 3rd is the current request from the Herald. It's my understanding now that Marianne Holsman will be replying to the Herald's letter.

I think that it's important that we develop our own analysis regarding what constitutes an error in this situation, rather than adopting the Herald's perspective under pressure from the Dairy Federation. I'm interested in hearing your opinion regarding this situation.- I hope that we can discuss this matter next week before a response of any kind is sent to the paper that may not represent the situation accurately.

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Opalski/R10/USEPA/US]

S. Marie Jennings  
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